

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

RONALD L. JESTES, JR.,)
Plaintiff,)
v.)
SAXON MORTGAGE SERVICES, INC., and)
OCWEN LOAN SERVICING, LLC,)
Defendants.)
No. 2:11-CV-00059
JURY DEMAND
Judge Kevin Sharp

AFFIDAVIT OF CRYSTAL KEARSE

STATE OF FLORIDA

COUNTY OF DUVAL

I, Crystal Kearse, am over the age of 18 years and, after being duly sworn, attest that the following is true and accurate based on my own personal information.

1. I am a Loan Analyst at Ocwen Loan Servicing, LLC ("Ocwen").
2. Plaintiff Ronald Jesters' loan servicing was transferred from Saxon to Ocwen on or around April 16, 2012.
3. Ocwen did not service Mr. Jesters' loan in February 2012.
4. Ocwen did not instruct or authorize Shapiro & Kirsch to send the February 1, 2012 letter attached as Exhibit C to the Amended Complaint of this matter, or any other document, on its behalf.
5. Ocwen could not have authorized Shapiro & Kirsch to send the February 1, 2012 letter on its behalf because Ocwen had not yet retained Shapiro & Kirsch to act as its attorney with respect to Plaintiff's loan on February 1, 2012.

6. On February 9, 2012, Ocwen advised Shapiro & Kirsch that Mr. Jesters' loan servicing had not transferred as of February 1, 2012. *See* Email attached as **Exhibit 1**.

7. On March 27, 2012, Plaintiff was sent a Notice of Servicing Transfer. *See* Notice of Servicing Transfer attached as **Exhibit 2**.

8. On April 20, 2012, Ocwen sent Plaintiff a validation of debt letter. *See* Validation of Debt Letter attached as **Exhibit 3**.

9. On May 2, 2012, Plaintiff's counsel sent Shapiro & Kirsch, as Ocwen's foreclosure counsel, a letter regarding Ocwen's Validation of Debt Letter. *See* Letter from C. Thompson to Shapiro & Kirsch attached as **Exhibit 4**.

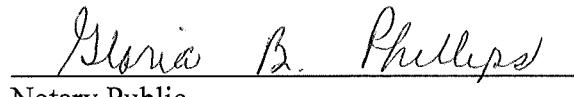
10. On June 15, 2012, Ocwen sent a letter to Plaintiff's counsel enclosing copies of the signed Deed of Trust, Note, Loan Application, HUD-1 Settlement Statement, Notice of Right to Cancel, Federal Truth in Lending statement, Notice of Transfer of Servicing Rights, Saxon Payment History, and Assignment of Mortgage. *See* Letter from Ocwen to C. Thompson dated June 15, 2012, attached as **Exhibit 5**.

Further affiant sayeth not.



Crystal Kearse

SUBSCRIBED AND SWORN before me this 17 day of June, 2013:



Gloria B. Phillips
Notary Public
My commission expires 3-31-16